

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,)
)
v.)
)
EMMITT MARTIN III, TADARRIUS)
BEAN, DEMETRIUS HALEY, DESMOND)
MILLS, JR., AND JUSTIN SMITH,)
)
Defendants.

No. 2:23-cr-20191-SHL

**ORDER DENYING MILLS' AND SMITH'S MOTIONS TO FILE UNDER SEAL AND
ORDERING DEFENDANTS TO FILE REDACTED CHARACTER LETTERS**

Before the Court are two motions seeking to file character letters under seal. The first was filed by Defendant Desmond Mills (ECF No. 825), and the second by Defendant Justin Smith (ECF No. 850). Before filing their motions, both Mills (ECF Nos. 823 & 824), and Smith (ECF No. 849-1), filed the character letters under seal. Both of the motions assert that “[m]any, if not all, of these letters contain the authors’ names, addresses, phone numbers and email addresses. In order to ensure the privacy of those who submitted letters to the court in aid of sentencing,” Defendants request that the documents remain sealed.

Given the personally identifiable information contained in the previously filed character letters, the Court will not order them to be unsealed. Nevertheless, openness is a cornerstone of the American court system, and the Sixth Circuit has “long recognized a ‘strong presumption in favor of openness’ regarding court records.” Rudd Equip. Co., Inc. v. John Deere Constr. & Forestry Co., 834 F.3d 589, 593 (6th Cir. 2016) (quoting Brown & Williamson Tobacco Corp. v. FTC, 710 F.2d 1165, 1179 (6th Cir. 1983)). Therefore, within seven days of the entry of this Order, Mills and Smith shall refile their character witness letters, not under seal, but they shall be

allowed to redact all sensitive information contained within the letters, including the authors' addresses, phone numbers, and email addresses. The authors' names shall remain unredacted.

IT IS SO ORDERED, this 18th day of June, 2025.

s/ Sheryl H. Lipman
SHERYL H. LIPMAN
CHIEF UNITED STATES DISTRICT JUDGE